

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

MEMORANDUM AND ORDER  
06-CR-550

DAWN SCHLEGEL, SANDRA HATFIELD,  
and DAVID H. BROOKS,

Defendants.

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APPEARANCES:

For Government: James Halleron Knapp, Esq.  
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SEYBERT, District Judge:

On February 28, 2009, this Court issued an Order providing Defendant David H. Brooks ("Brooks") and the Government with an opportunity to file briefs in support of their privilege arguments. The Order specified that both parties were to file their briefs by March 10, 2009, and the briefs were limited to seven pages in length. The Court did not grant the parties an opportunity to file responses or replies.

Defendant Brooks filed his brief on the Court's electronic case filing system by 5:00 p.m. on March 10, 2009; the Government did not file its brief until later that evening. Defendant Brooks now objects to the timing and size of the Government's submission, and argues that the Court should strike the memorandum.

The Court declines to strike the Government's memorandum for its late timing; however, the Court will not accept any arguments in the memorandum that are responsive to Brooks' filing. The Government is directed to re-submit its filing with all references to Brooks' memorandum stricken. Further, all future filings by all parties must be electronically filed by 5:00 p.m.

The Court also declines to strike the Government's memorandum for exceeding the seven-page limit. The eighth page of the Government's submission is merely a signature. The Court declines to address minor nuances such as an excess quarter-page

used purely for a signature. However, to avoid any difficulties in the future, future filings from all parties must strictly comply with any page limitations set by this Court, and all filings must be in 12-point Times New Roman font, with one inch margins on the top, bottom, left, and right side of each page.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
March 16, 2009